UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,826	12/07/2000	Natascha Kearsey	19111.0045	8609

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Edward A. Pennington
SWIDLER BERLIN SHEREFF FRIEDMAN, L.L.P.
3000 K Street, N.W., Suite 300
Washington, DC 20007-5166

EXAMINER
RIMELL, SAMUEL G

.ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/730,826	KEARSEY ET AL.
	Examiner	Art Unit	
	Sam Rimell	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Witkowski et al.

(U.S. Patent 6,345,272).

Claim 1: Reference is made to FIG. 2, and its associated discussion at col. 3, line 66

through col. 4, line 30.

Fig. 2 illustrates both queries and data within a database. The database includes two detail

tables. The first table is the "Table Sales" 250. The second table is the summary table called

"Sum_Sales" created by the query 270. A computer processor will inherently process queries on

the tables.

-      In the operation of the system of FIG. 2, the processor will receive the first query 210.

The input is analyzed and a determination is made to create the second query 280, which requires

a joining of the data in the two tables (table 250 and the summary table called "Sum_Sales").

Both the first and second queries involve aggregation steps (the function "SUM").

The processor modifies the first query (210) to create the second query (280).

Within the second query (280), an aggregation step is performed on each of the two

tables. The aggregation step "SUM ($AMT)" in the subquery 270 performs an aggregation on

the $AMT column of the first table 250. This creates the second table "Sum_Sales". The second

table is then introduced into the modified query (280) and the aggregation step SUM

(SUM_SALES) is then performed on the "region" column of the second table. Thus, the second query performs aggregations steps on two different tables.

The aggregated data from the two tables are then joined into a single table in the query (280). The query (280) is a SQL query. The single resulting table will list each region and the total sales within that region for the calendar year 1998.

Claim 2: The second query (280) will aggregate data from two different tables. The SUM function performs the aggregation. SUM ($AMT) performs the first aggregation in the subquery (270). SUM (SUM_SALES) performs the second aggregation on the second table.

Claim 3: The generation of the table SUM_SALES is considered an in-line view. The data location which stores that view is readable as a "complex folder".

Claim 4: The aggregation steps are summations of data.

Claim 5: The processor which processes the queries inherently includes an input device, such as a keyboard. Otherwise, no query could be generated.

Claim 6: The list of possible items are created by the SELECT functions in each of the queries (210) and (280). The actions performed are the individual commands with the queries, such as the command to perform a summation function ("SUM").

Claim 7: Each of the queries (210) and (280) are SQL standard queries using SQL language. Commands such as SELECT and SUM are standard SQL commands.

Claim 8: Query (280) requires two aggregation steps on two different tables. The first aggregation step occurs in the subquery (270) on table (250). The aggregation command is "SUM ($AMT)". The second aggregation step occurs in the query (280) on the summary table SUM_SALES. The aggregation command is "SUM (SUM_SALES)".

Claim 9: See remarks for claim 1. The database processor and the processor of the query

are the same processor.

Claim 10: The database processor and the processor of the query are the same.

Claim 11: See remarks for claim 2.

Claim 12: See remarks for claim 3.

Claim 13: See remarks for claim 4.

Claim 14: See remarks for claim 5.

Claim 15: See remarks for claim 6.

Claim 16: See remarks for claims 1 and 3.

Remarks

Applicant's arguments and amendments have been considered.

It is first noted that applicant does not present any specific arguments which pertain to

any specific claim limitations. Applicant's arguments are essentially a discussion of FIG. 2 of

Witkowski without any comparison of Witkowski to any specific claim language, and thus the

arguments do not establish patentable distinctions over the claims.

Nonetheless, applicant's basic premise in discussing the Witkowski reference is that

Witkowski allegedly does not use query (280) to join aggregated sets of data. However,

applicant's premise is not found to be correct. Two aggregation steps exist. The first aggregation

is performed in query (270) and is defined by the SQL command (SUM $AMT), which

aggregates the $AMT data in table (250). The second aggregation is SUM (SUM_Sales) which

aggregates data from a table labeled as "Sum_Sales". Query (280) then joins these two aggregated sets of data together into a single resulting table. Accordingly, query (280) is a SQL join operation since it utilizes SQL commands to join two aggregation steps together to produce a single table.

This office action follows the filing of an RCE request and is made non-final.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084.

Sam Rimell
Primary Examiner
Art Unit 2164